

OGC HAS REVIEWED.

7 August 1947

MEMORANDUM TO ASSISTANT CHIEF, PERSONNEL BRANCH

Subject: [REDACTED] Employment of

1. We refer to your memorandum of 4 August requesting a ruling on employment of [REDACTED]

2. Until recently, we considered the [REDACTED] case, discussed in the attached file, authority for permitting employment of a retired Foreign Service Officer and continuing payment of his annuity. We are now informed that recently the General Accounting Office has suspended the payment of annuities under similar circumstances, and in response to inquiries from the State Department has refused to accept the [REDACTED] ruling as precedent for subsequent cases.

3. It will be necessary to inform [REDACTED] therefore, that if he accepts employment by this office he may expect to have his annuity pay suspended so long as he is so employed unless he is willing, as was [REDACTED] to carry his case to the Court of Claims. Such a suit would, we believe, have a fair chance of success. It would be entirely a personal matter for [REDACTED] decision.

LAWRENCE R. HUSTON
General Counsel

LRH:mbt